

The Times Dispatch

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FRIDAY, MARCH 13, 1914.

TEEMPERANCE—PROSPECT AND RETROSPECT.

Fifty years ago yesterday Virginia's first prohibition law went into effect. Four hundred saloons in this city and thousands throughout the Commonwealth were closed. Only those five miles and more from any incorporated town were allowed to sell intoxicants.

It is a significant coincidence that the lapse of precisely half a century should find us to-day fighting the same problem in a different form. Yet it must not be supposed that during this time the cause of temperance has not advanced. From the law of 1861 there came a reaction that places saloons at almost every crossroads and in every city of the State. But public sentiment, educated by the labors of many devout men, put on the statute books the local option law, by which every community was given the right to decide whether or not it would license the sale of liquor. Amended and strengthened, this statute was supplemented by the Mann and, a little later, by the Byrd laws. Now it is proposed to prohibit the sale of intoxicants throughout the State.

The Times-Dispatch did not approve the Mann law or the Byrd law when they were passed because we did not believe they would be enforced. As we have watched their operation, however, we have become convinced that they have done much good. We are not sure that they have materially reduced the consumption of alcoholics in the localities affected, for we know of instances where the jug trade and the small order business have practically invalidated the operation of both laws. But, though unavailing in localities where public sentiment upholds them, and useful precisely as imposed by the people, these statutes have certainly promoted law and order in the counties and small towns.

We have often asked ourselves why, if these laws have accomplished good where we were doubtful of their effect, may not the people make prohibition effective if it be adopted? If closing the bars in the country and in unpoliced towns has promoted good order, why may not the same thing happen in the cities?

And this will mean something more than the violation of a single statute, in that it will slowly, but inevitably, breed contempt for all law. Men cannot become accustomed to the constant violation of one statute without losing that fundamental respect for other laws upon which the stability and the very existence of all society is based.

Is the doubtful gain worth the cost? We believe not, and we cannot endorse a law which hazards so much. Regrettably we say it, but honestly we believe it, until the sentiment in the great cities of the Commonwealth is materially changed, prohibition cannot be made effective for them. And until this is done, the cities will become the chief, though by no means the only, dumping ground for intoxicants and the favorite haunt of drunkards.

As opposed to this policy, we believe in the education of the individual, the strict enforcement of local option, and the reduction of the evil by the most stringent police regulations. We favored the Unlant ordinance which limited the number of saloons in Richmond to 150; we have advocated a still further reduction. We have endorsed the bill which would deny any city the right to have more than one saloon for every 1,000 inhabitants; we stand ready to support an acting law that will be as strict as the Federal statutes will permit. We intend, too, to continue our opposition to the location of bars in residential sections, and shall insist upon strict hours for opening and closing. These laws and ordinances we believe the people of Virginia will enforce. If not, the chance of carrying them out is far better than in the case of the proposed prohibition law.

But calm reflection on our question and study of conditions in other States have convinced us that prohibition in Virginia would be extremely hazardous if not fatal to good order at this time. All of us are agreed that prohibition to be enforced must be upheld by the sentiment of the people. All who will study the situation will understand that this sentiment cannot be expressed in advance of the election or even at the election, but must be demonstrated in the enforcement of the law. If it be found that the majority is so strong and so determined that it can enforce its will on the rest of the people, then prohibition may be carried out. If the majority be neither strong nor determined, then we shall face the prospect of violated law and public contempt for its operation, to say nothing of the bitterness attending to the election itself. And if, in view of the practical impossibility of securing an effective majority in behalf of prohibition at this time we have the standing warning of nearby Southern States:

"We cannot judge the strength of the prohibition movement in this State by the number that may sign their names to election petitions. Men will be found who will do as did members of the House of Delegates when the enacting act passed—approve the call for the election with the determination of voting against prohibition when the election is held. Nor can we even measure sentiment in favor of prohibition in Virginia by the votes cast for it in the coming election. Altogether apart from the fact that the vote thrown the balance, the visitors and the underwriters will win advantages to the bill who do not approve its principle, it must be remembered that the vote itself will represent but a fraction of the people. At only about 25 per cent of the adult males of the state are qualified to vote, three times as many men who will have equal voice with the voters in enforcing the law will be heard from the polls. And as those who are qualified are generally speaking, the best educated and most moral element of the community, the chances are that at least a majority of those who cannot vote will be prodded to the bill, and to some extent at least, will work to defeat its operation. Many who cannot vote, to be sure, are as earnest advocates of temperance as the sons on the poll books; but other thousands will not hesitate to violate the law. This apart, however, we have no way in the world of ascertaining in advance of the election what sentiment will be disclosed for or against statutory prohibition."

In such an event, the only course is to put the issue to the test and to determine by efforts to enforce the law whether or not the people approve of what we are to gain by this. Unless the experience of the entire South is to be reversed, we shall not find ourselves in a much better condition than we are at present. We shall have the pro-temperance, the blitzen tiger, the jaguar—e'en, perhaps, the open saloon, which flourishes in Savannah, Nashville and Memphis, although there is a

prohibition law on the statute books of Georgia and Tennessee.

And what are we to hazard by this test? At the outset, we shall have a campaign of bitterness unbounded and passion unleashed. Something of it we already see—the abuse of private individuals, the proscription by the sacerdotal champions of virtue of all those who dare oppose them, the attempted domination of the Legislature by politico-clerics, the denunciation of honest men as "bought and paid for."

We shall have too, unless again the experience of other States is no guide, a problem of law enforcement difficult in the extreme. It will not be like the effort to enforce the Hynd law. Those who are to be watched are not the citizens of a small town whose every step is seen by every other citizen. There are who will get their jugs by mail order and let a friend have a swig. In the alleys, in the underworld and in every dark place of the cities, men will sell and drink liquor made and purveyed they know not how.

Danville, Lynchburg and Roanoke, the vote cast for and against State-wide prohibition will not show a strong majority either way, in Petersburg, Norfolk, Richmond and Newport News, there will certainly be a large majority against prohibition. These cities, then, including the two largest in the State, will certainly contain the largest proportionate number of those who oppose prohibition, and it is safe to say, a percentage of those who will not enforce the law at least equal to the percentage in the other cities of the Commonwealth. Upon the police of these cities will be placed a burden which, the experience of other Southern cities has shown, no police can bear.

Inevitably and habitually in these and in every other city and in every town where men want whiskey, they will violate the law to buy it from those who will violate the law to sell it. Virginia cities, including those which are deemed "wet," contain as fine and as law-abiding a citizenship as is found in any cities of the United States. But public sentiment, educated by the labors of many devout men, put on the statute books the local option law, by which every community was given the right to decide whether or not it would license the sale of liquor. Amended and strengthened, this statute was supplemented by the Mann and, a little later, by the Byrd laws. Now it is proposed to prohibit the sale of intoxicants throughout the State.

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